REMARKS

Claims 1-11 are pending in the application.

Reconsideration of the rejection of claims 1-11 under 35 USC102(b) as being anticipated by US2003/0062031 to Tanimura is respectfully requested.

Claim 1 is directed to an apparatus for delivering fuel from a tank to an internal combustion engine of a motor vehicle, comprising

a reservoir (4) located in the tank (1),

a fuel supply pump (7) disposed in the reservoir (4),

at least two suction jet pumps (22.1, 22.2) connected to a drive line (29, 29.0, 29.1, 29.2), the drive line of the suction jet pumps being connected to a pressure line (10) downstream of the fuel supply pump (7),

at least one check valve (41) or a siphon connected in the drive line between the pressure line and the at least two suction jet pumps,

a pressure-regulating valve (17) maintaining a constant pressure in the pressure line (10), and

a throttle (40) in the drive line (29, 29.0) between the at least one check valve (41) or siphon and said pressure-regulating valve (17).

Tanimura discloses reservoir 15, fuel pump 12, vertical suction jet pumps 17, 18, drive line 19, pressure line 13, check valve 19a, jet pump 18 having suction port 16 drawing fuel from pan region 11a, jet pump 17 having intake line 14 from saddle region 11b, and drive line segments from drive line 19 to jet pumps 17, 18.

Tanimura differs from the invention in that after the feed pump is shut off, a return flow of fuel can occur from the pan side to the saddle side of the tank, in which fuel flows out of the pan region 11a through the intake opening 16, the first suction jet pump 18, the second suction jet pump 17, and the intake line 14 back to the saddle region 11b because of a suction effect. This is a disadvantage of Tanimura.

The invention overcomes this effect by inclusion of the at least one check valve or siphon provided in the drive line (Figs. 1 and 3) or in the intake line (Fig. 2).
This distinguishing feature of the invention has the effect that after the shutoff of the feed pump, a reverse flow from the pan side 1.2 to the saddle side 1.2 via the suction jet pumps 22.1, 22.2 and the intake line 34 is prevented.

With respect to the rejection of claim 1, it appears the examiner relies on element 20, a divergent fuel control unit (venturi) to anticipate two distinct recited elements, namely a pressure regulating valve upstream of the drive line 19 and a throttle in the drive line upstream of the check valve 19a. Claim 1 clearly sets forth that the pressure regulating valve and the throttle are distinct elements, and in view of the distinct feature of the at least one check valve or siphon, Tanimura does not anticipate or even suggest the arrangement of the elements according to claim 1.

Furthermore, Tanimura lacks the intake line having a suction check valve as set forth in claim 6. Tanimura does not expressly show a nozzle and a suction chamber of both of the jet pumps provided on the bottom of the reservoir as set forth in claim 8. Tanimura also lacks both of the drive line segments being provided with a respective check valve as set forth in

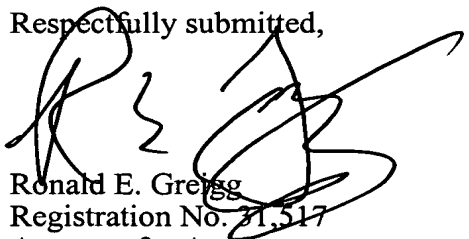
claim 11. As Tanimura lacks the recited elements and structural arrangement of the independent claim 1, and additional elements of the dependent claims, withdrawal of the rejection and allowance of the claims is respectfully requested.

New claim 12 is a combination of original claims 1, 3, 4, 5, and 10, and further includes the feature of the check valve or the siphon being provided in the first drive line portion 29.1, or in the intake line 34. This arrangement of the elements achieves the object of the invention to prevent reverse flow of fuel to the saddle side of the tank, as discussed above.

One skilled in the art does not find any suggestion in Tanimura for attaining the object of the invention, since the check valve 19a is provided upstream of the branch of the first drive line portion and the second drive line portion. The check valve as disposed in Tanimura does not prevent the reverse flow of fuel from the pan side to the saddle side. Therefore it is respectfully requested that new claim 12 be allowed.

Entry of the amendment and allowance of the claims is respectfully solicited.

Respectfully submitted,



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